

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** March 13, 2007

BFC

Agenda Item No. 3(B)

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Foxgas  
County Manager

**Subject:** Ordinance Authorizing Issuance of Special Obligation Bonds

## RECOMMENDATION

It is recommended that the Board enact the attached Ordinance authorizing the issuance, in one or more series, of Special Obligation Bonds ("Bonds"), in an aggregate principal amount not to exceed \$425,000,000. The Bonds are being issued for the purpose of acquiring, constructing, improving and/or renovating certain assets, including buildings occupied or to be occupied by the County and its various departments. The Ordinance further provides that the capital projects, terms, maturities, interest rates and other bond related details for each series of Bonds be established in a series resolution approved by the Board prior to the issuance of each series of Bonds.

## BACKGROUND

The accompanying Ordinance provides the County with a mechanism to finance the acquisition, construction and or renovation of priority capital assets through the issuance of Bonds, from time to time. The County's ability to appropriate funds on an annual "pay-as-you-go" basis for the acquisition of capital assets is limited and at times does not provide a workable solution to meet the required needs of our departments. Over the next several years, the County's will need to find ways to: (i) alleviate the critical housing needs in our community; (ii) provide additional office space for County administrative offices in areas more accessible to the public; (iii) provide upgraded fire systems for correctional facilities; and (iv) find more cost effective ways to operate our water chilling system. Some of the projects anticipated to be financed, over the next three years, through the issuance of the Bonds may include but not limited to:

- Purchase and Fit-up/build-out of Overtown I
- Purchase of Overtown II
- Fit-up/build-out and Extra Items for Overtown II
- Purchase of the MLK Office Building
- Acquisition of the Coast Guard Property
- Purchase and Complete Build-out of the TECO Chiller Plant
- Scott/Carver Hope VI Project
- ETSD Radio Towers Project
- Corrections Fire System

Some of the projects listed above have been purchased with County funds. The first series of Bonds, when presented to the Board for its consideration, will provide for the reimbursement of those funds to the County.


While the Ordinance authorizes the issuance of the Bonds, it also requires for the submission of subsequent resolutions for each series of bonds to be issued. Each series resolution will provide a more detailed

Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners  
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description of the capital assets to be financed, the terms, maturities, interest rates, hedge arrangements and other details for the series of bonds to be issued.

In addition to authorizing the issuance of Bonds in one or more series, the Ordinance provides that the Bonds may be issued with a fixed interest rate and/or a variable interest rate (including variable interest rates that are tied to external indices like the consumer price index) such as commercial paper, auction rate bonds and variable rate demand bonds. The Ordinance also provides the County with the flexibility of utilizing hedge arrangements (i.e. interest rate swaps) with the Bonds.

The Bonds and any hedge arrangements shall be payable from legally available non-ad-valorem revenues of the County as appropriated annually, or from revenues otherwise available from authorized funds and debt service reserves. Actual debt payments will be made from the budgets of each entity/department benefiting from the projects financed with each bond series.

  
Cynthia W. Curry  
Senior Advisor to the County Manager

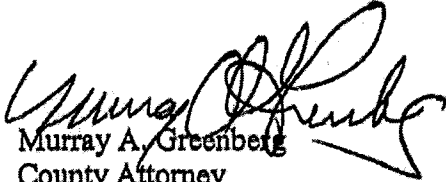


# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: February 20, 2007

FROM:   
Murray A. Greenberg  
County Attorney

SUBJECT: Agenda Item No. 5(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5 (A)  
02-20-07

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AUTHORIZING ISSUANCE OF NOT TO EXCEED \$425,000,000 OF MIAMI-DADE COUNTY SPECIAL OBLIGATION BONDS IN ONE OR MORE SERIES FOR PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND/OR RENOVATING CERTAIN ASSETS; AUTHORIZING HEDGING ARRANGEMENTS IN CONNECTION WITH SUCH BONDS; PROVIDING THAT DETAILS OF EACH SERIES AND EACH HEDGING ARRANGEMENT, IF ANY, SHALL BE DETERMINED BY SUBSEQUENT RESOLUTION; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE

WHEREAS, the Board of County Commissioners (the "Board") of Miami-Dade County, Florida (the "County"), after consultation with the County's various departments and agencies, has determined that there exists a need to acquire, construct, improve and/or renovate certain assets, including buildings occupied or to be occupied by the County and its various departments and agencies, all as specified by the County by subsequent resolutions adopted by the Board pursuant to the terms of this Ordinance (the "Projects"); and

WHEREAS, in order to provide funds to pay costs of the Projects, the Board finds that it is necessary and desirable for the County to issue from time to time its special obligation bonds in one or more series in an aggregate principal amount not to exceed \$425,000,000; and

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum (the "County Manager's Memorandum"), a copy of which is incorporated in this Ordinance by reference,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that:

Section 1. (a) Pursuant to the Constitution and laws of the State of Florida, including Chapters 125 and 166, Florida Statutes, the Home Rule Amendment and Charter of Miami-Dade County, Florida, as amended, and other applicable provisions of law, there is hereby authorized to be issued by the County, as provided in this Ordinance, special obligation bonds (the "Bonds") from time to time in one or more series in an aggregate principal amount not to exceed Four Hundred Twenty Five Million Dollars (\$425,000,000). Prior to the issuance of each series of Bonds, the Board shall adopt a subsequent resolution with respect to such series of Bonds (each, a "Subsequent Resolution" and collectively, the "Subsequent Resolutions"). The Board may, by Subsequent Resolution, provide that after the issuance of the series of Bonds with respect to which such Subsequent Resolution is being adopted, the authorization for the issuance of any portion of the aggregate principal amount of Bonds authorized under this Ordinance that has not been issued shall expire.

(b) The Bonds shall be dated such date or dates, shall mature at such time or times, not to exceed forty (40) years, shall bear interest at such rate or rates, fixed or variable, or any combination of the same authorized by law, not to exceed in any event the maximum rate authorized by law, and may be either tax-exempt or taxable bonds, or a combination thereof, all as shall be determined by the Subsequent Resolutions with respect to each series of Bonds.

(c) Without limiting the foregoing and as shall be determined by the Subsequent Resolutions: (i) any or all of the Bonds may take the form of variable rate bonds with interest rates to be reset on any periodic basis as so determined by the Subsequent Resolutions, including interest rates that are tied to external indices such as the consumer price index, auction rate bonds or commercial paper notes; and (ii) the County may utilize in connection with any or all of the Bonds, hedging arrangements, including, without limitation, interest rate swaps and interest rate caps, floors or collars, all as shall be determined and authorized by the Subsequent Resolutions.

(d) The Bonds and any hedging arrangements shall be payable from legally available non-ad valorem revenues of the County that the County may covenant to appropriate annually or from moneys otherwise available from authorized funds and reserves.

(e) The Bonds shall be issued for the purpose of paying, together with any other available moneys, costs of the Projects, including where applicable reimbursing the County for any costs previously incurred in connection with the Projects, and for such other purposes as may be specified in the Subsequent Resolutions.

(f) The Board may, by the Subsequent Resolutions, delegate to the Finance Director authority to negotiate all agreements associated with the issuance of the Bonds and the hedging arrangements and to award the sale of the Bonds from time to time in the manner, and subject to such conditions and limitations, as may be set forth in the Subsequent Resolutions.

Section 2. If any one or more of the provisions of this Ordinance should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Ordinance.

Section 3. This Ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

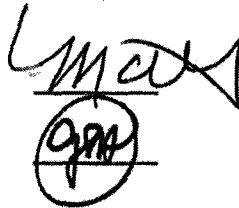
Prepared by:

Gerald T. Heffernan

Prepared by:

Bond Counsel:

Squire, Sanders & Dempsey L.L.P.  
KnoxSeaton



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